G.R.S. IX—5]

Previous references. 1920 (Gaol) File No. 110/20 Serial Nos. notes only

Later references.

(21)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. —

Part B for —

SUBJECT

Bribes of 500 guineas offered to Dr Annesley

Printed on the Multigraph.

G. R. S. 59]

5

GENERAL AND REVENUE SECRETARIAT.

190 ( )

File No. V

Serial Nos. 1—6

Papers Filed.

Month April 1906

SUBJECT.

Bonus of 500 guineas to Dr Smeeth of the Geol Departt.

PREVIOUS REFERENCES.	LATER REFERENCES.

Govt 110-20

D. O. File No. 5 of 1905–1906.

Subject Bonus of 500 guineas to Dr. Smeath of Agricultural Deptt.

LIST OF CONTENTS.

Serial No.	D. O. No. and date	From whom	To whom	Brief Subject
1	Bombay No. 19 / 4.4.06	Mr Macdonald	Secretary	Forwards copy of a letter from the Resident about the conferment of medal by Messrs John Taylor & Sons & Dr Smeath and presentation of 500 guineas honorarium for work done in gold theft case & communicates H.H's views in the matter
2	Off Letter No G.4991 / G.M. 253-05-2 / 11.4.06	Govt Secy	Messrs John Taylor & Sons	Informs them that Govt regret & cannot think it advisable to sanction the grant of proposed honorarium
3	G. O. No G.4992-5031 / G.M. 253-05-3	11.4.06	—	Enunciates the principles governing the disposal of questions connected with the permission sought by private persons or bodies for rewards & public servants in recognition of work done in the course of their official duties
4	G.5041-6 / G.M. 253-05-4	11.4.06		Press Communique contradicting the statement that Dr Smeath has been permitted by Govt to accept an honorarium from Messrs John Taylor & Sons —

D. O. File No. 5 of 1905—1906.

Subject.....

.....

LIST OF CONTENTS.

Serial No.	D. O. No. and date	From whom	To whom	Brief Subject
5	From No 753 / 24.2.06	Dr Smith	Dewar	Forwards Mr Rhodes's letter about the request of Messrs Tata & Sons for a report by an expert on the Ahmedabad Running Block. Requests that he will undertake the work if fit & states that he would be allowed permission to do so.
6	1016 / 28.2.06	Dewar	Dr Smith	States that the work required to be carried out be undertaken by Dr Smith but that the fee allowed by Messrs Tata & Sons for the same should be credited to Govt

GPB—750—17-3-09

List of papers -

1 Mr Macconochie D.O. No 192 of 4/4/06 to the Dewan -

2 Resents D.O. to Mr M of 3/4/06

3 Sir P. K. M's D.O. to Mr M (not on file) of 31/3/06.

4 Taylor & Co's letter to Dewan of 17/11/05 —

5 " " D.O. (not on file)

6 Gee Secy's letter to Dewan of 31/3/06. (not on file)

Replies

1 D.O. to Messrs Taylor & Sons

2 " Official order about rewards.

3 Press communique

4 Telegram to Taylor & Sons. 8/4/06.

Do file 5 of 05-06

No 19

Fern Hill
Ootacamund
4 4 06

Dear Mr Madhava Rao

H H desires me to forward to you some correspondence relating to a Confidential offer made by Messrs John Taylor & Sons to present to Mr Smeeth an honorarium of 500 guineas in recognition of the expert work done and evidence given by him in Connection with Gold theft Cases. It is unfortunate that the case was lost sight of so long by the late Dewan, specially

in View of the fact that the Indian Press has got hold of the ~~fact~~ matter and reported that the honorarium has been Sanctioned by H. H's Government

H. H. had no doubt in his own mind as to the in competence of permitting the acceptance by an Officer of the State of any such payment But the Hon'ble the Resident being in Ooty. Command he took the opportunity to Consult him as to the principles recognized by the Government of India in such Cases.

A copy of the Residents reply is appended

Apart from the obvious inconvenience of permitting the Geological Secretarys independence to be affected either in fact or imputation by the acceptance of a payment from a Company with which the Durban has Constant dealings it is in H. H's opinion most undesirable that there should be any idea that work done in the ordinary performance of an Officers duty which indirectly benefits a Company's

interests is done for the
Company and not for the
State In the present
~~interest~~ instance Dr Smeeths investi-
gations were made solely
in the interests of justice
and the State Revenues and
not with any View to the
indirect benefit derived
by the Mining Companies
H. H will be much obliged
if You will inform Mr
~~Fa~~ Henry Taylor that
the Dunbar much regrets
its inability to accede to
the suggestion, giving reasons
in brief In View of the
publicity that has been
given to the matter and the

delay that has occurred
in disposing of it. H. H
considers it desirable that
a brief Cable should be
sent at once, followed
by a letter explaining matters
further. A Communique
may also be sent to the
Press intimating that
the Statement that Dr.
Smeeth has been permitted
by the Durbar to accept
an honorarium from
Messrs John Taylor & Sons
is without foundation.
A formal order should also
in H. H's opinion, be
placed on record, not for

publication but merely
as a guide in future cases
laying down the principles
governing the disposal of
such questions.

Yours Sincerely
S. E. Macnaghten

Dewans order

To
Deputy Secy
Please prepare the draft
and bring up today
8-4-06

Enclosure 4 (1)
D.O. file No. 5 of 05-06.

Ootacamund.

April 3rd 1906.

My dear Macconochie,

I am glad that His Highness the Maharaja has afforded me an opportunity of expressing an opinion on the proposal of Messrs. Taylor & Sons to present Dr. Smeeth with an honorarium of five hundred guineas as a special recognition of work done in connection with gold analysis.

It was with considerable surprise that I read in the papers that the honorarium was sanctioned.

There can be no doubt that the grant of any such gift must be condemned both as wrong in principle and objectionable in practice.

In such a matter the Durbar would do well to apply to its European employes the same principles as the Government of India apply to their servants, the principles being based upon reasons of universal cogency. Under the rules for the conduct of public servants no official would be permitted to accept two payments for doing his official duty. The argument implied in Messrs. Taylors' letter that the work done by Dr. Smeeth, to which they refer, was outside his official duty, of course, will not hold water. In carrying on gold analysis in giving evidence in court he was merely doing what the Durbar pay him to do and for the mining companies to reward him because his labours have been indirectly beneficial to them is no more justifiable than would be a proposal that they should pay the Magistrate or Judge who benefits the companies by convicting a gold thief. It is, of course, a totally different case where an officer takes leave to do work for a private employer, e.g., Major Lotbiniere for the Rangoon Contractor.

The practical objections are equally

obvious. It would impair Dr. Smeeth's independence in advising the Durbar where the Companies' interests are concerned if he had placed himself under a pecuniary obligation to Messrs. Taylor & Sons. I do not mean to imply that Smeeth would be consciously swayed by this consideration, but he would have no answer to the imputations which might be made, whenever he proposed terms apparently favorable to the companies.

I may mention that Messrs. Taylor & Sons made a similar proposal to the Secretary of State about an honorarium for Major Lothiniere, but the Government of India emphatically withheld their assent and did not think it necessary even to consult the Durbar. The case was on all fours with this one and I think that His Highness the Maharaja would be well advised to negative the suggestion and at the same time to indicate to the mining companies the principles which govern such cases.

I return herewith the enclosures to your letter.

Yours sincerely,

Sd/ S.M. Fraser.

P.S. Imagine Smeeth's position, if, when cross examined by a Vakil on his evidence about gold analysis, he had to admit receiving £ 500 from Taylors for the value such evidence had been in securing convictions !

G.R.S. 31] 2 / 80 file 5/05-06

Confidential.

No. G.M. 991 / GM 255-05-2

From B.K.Venkata Varada Iyengar, Esquire,

Secretary to the Government of His Highness.
the Maharaja of Mysore, Genl. and Rev. Dept..

To

Messrs. John Taylor & Sons,

6, Queen Street Place, London.

, the 11th April 1906.

General and Rev. Secretariat.

841

Gentlemen,

I am directed to acknowledge the receipt of your letter of the 17th November 1905, requesting the sanction of the Government of His Highness the Maharaja to the suggestion of your Directors to present an honorarium of five hundred guineas to Dr. Smeeth, State Geologist and Chief Inspector of Mines in Mysore, in recognition of his special services in connection with the analyses of -- Kolar gold and the evidence given by him as an expert witness in gold theft cases.

2. In reply, I am to say that His Highness' Government much regret their inability to accede to the suggestion. Apart from the obvious inconvenience of permitting the State Geologist's independence to be affected either in fact

MGCPB-5,000-16-2-05

fact or imputation by the acceptance of a payment from a Company with which the Government has constant dealings, it is, in the opinion of Government, most undesirable that there should be any idea that work done in the ordinary performance of an Officer's duty, which indirectly benefits a Company's interests, is done for the Company and not for the State. In the present instance, Dr.--- Smeeth's investigations were made solely in the interests of justice and the State Revenues, and not with any -- view to the indirect benefit derived by the Mining Companies.

3. A brief cablegram, as in the margin, announcing the decision of Government in the matter has this day been --- despatched to you to avoid delay.

" Government regret inability to sanction your proposal regarding Smeeth's honorarium Letter follows."

I have the honor to be,

Gentlemen,

Your most obedient servant,

Secretary.

"Copy"

2

Confidential. Do. file 5/105-06

To

Messrs. John Taylor & Sons, London.

Gentlemen,

I am directed to acknowledge the receipt of your letter of the 17th November 1905, requesting the sanction of the Government of His Highness the Maharaja to the suggestion of your Directors to present an honorarium of five hundred guineas to Dr. Smeeth, State Geologist and Chief Inspector of Mines in Mysore, in recognition of his special services in connection with the analyses of Kolar gold and the evidence given by him as an expert witness in gold theft cases.

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I have &c.,

Secretary.

Government regret inability to sanction your proposal regarding Smeeth's honorarium. Letter follows.

3
DD. file 5 of 05-06

Confidential

Proceedings of the Government of His Highness the Maharaja of Mysore.

------oOo----

Order :- No. G G 992-5031
Ex-258-05-3.

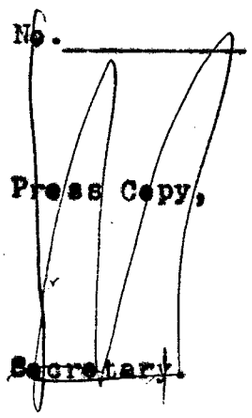
Dated bangalore, 11th April 1906.

Instances having occurred in -- which the permission of the Government of His Highness the Maharaja has been sought by private persons or bodies to offer -- rewards to public servants in recognition of the work done in course of their official duties, and indirectly benefitting such private persons or bodies, the Government consider it desirable to place on record for the guidance of their officers the principles governing the disposal of such questions.

2. It may be stated at once that the grant of any such gift to a public servant must be condemned both as wreng in principle and objectionable in practice: No official can, on principle, be permitted to accept two payments for doing his official duty. He is paid for doing it by his employer, the Government; and it is not --- justifiable for a private party to propose to reward him, merely because his labors have been indirectly beneficial to the latter. It would be different, of course, -- where an officer takes leave to do work for a private employer with the previous sanction of Government or other competent -- authority. The practical objections are

equally

equally obvious. It would impair the independence of an officer for advising the Government, or otherwise performing his official functions, in cases where the interests of a private person or body are concerned, if he placed himself under a pecuniary -- obligation to the latter. He may not be consciously swayed by this consideration, but he would have no answer to the imputations which might be made whenever he proposed terms apparently favourable to the party concerned. It is obviously most undesirable that there should be any idea that work done in the ordinary performance of an officer's duty, which indirectly -- benefits a private party's interests, is done for such private party and not for the State.



Sd/- B.K.Venkata Varada Iyengar,

Secretary.

To

All Heads of Departments, and Deputy Commissioners of Districts for information and guidance.

"Copy"

3
Do file 5 of 05-06

Confidential.

Proceedings of the Govt. of H.H. the Maharaja of Mysore.

Order No. dated April 1906.

Instances having occurred in which the permission of the Government of His Highness the Maharaja has been sought by private persons or bodies to offer rewards to public servants in recognition of work done in the course of their official duties, and indirectly benefiting such private persons or bodies, the Government consider it desirable to place on record for the guidance of their officers the principles governing the disposal of such questions.

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ate party's interests, is done for such private party
t for the State.

Secretary.

ll Heads of Departments, and Deputy Commissioners of
istricts for information and guidance.

4
Do file 5 of 05-06

Press Communique. G 5041-6 & 1 1/2
Gu-255-05-4

The statement that has appeared in some papers to the effect that Dr. Smooth, State Geologist in Mysore, has been permitted by the Mysore Government to accept an honorarium from Messrs. John Taylor and Sons, is without foundation.

To

The Editor, Madras Mail
" " , Daily Post
" " , Bangalore Bulletin
" " , Pioneer
" " , Statesman
" " , Times of India.

for favor of publication.

Copy"

4

Do file 5/105-56.

~~I will you please publish in your paper~~

a comm

Press Communique. ~~for Press publication~~

The statement that has appeared in ~~a~~ some papers to the effect that Dr Sneath, State Pathologist in Hygiene, has been permitted by the Hygiene Board to accept an honorarium from Messrs John Taylor & Sons, is without foundation

=

To

The Editor, Mail.
" " Daily Post
" " Bulletin.
" " Pioneer
" " Examiner.
" " Mirror.

for forwarding publication

D.O. from No: 753
26.2.08
5-
Co file 5705
Bangalore
24.2.08

My dear Dewan

Please see the enclosed letter from Mr Khoda on behalf of Messrs Tata & Sons regarding a report on Mr Ahmad Ali's Mining blocks at Oregum. Messrs Tata asked me a short time ago if they could get a man

to report upon the property which they contemplate purchasing and stating that they were prepared to offer [illegible] for the same I told them that I did not think they would get a man whose opinion was worth having at that figure on the other hand I told them that I would inspect the stock on my next visit to the Field and then

if Genl. permitted I would give them a report & opinion for a few days. If you have no objection I will do so - it will probably save them a good deal of further trouble & expense. I am leaving for the York Field Command on an inspection tour.

Yours sincerely

G. P. Hunter

No 1016

Typ!

6
DO file 5 of 05-06

Bangalore
28/2/08

Dear Mr Burlett

In regard to the enclosed letter from Mr Bhabha received with your D.O. letter of the 26th inst. about your inspection and reference on Mr Rahmed Ali's mining bleed on behalf of Messrs Tata & Sons, I have no objection to Your undertaking the work, but I am afraid that the existing rules do not allow of your being permitted to receive the fee paid. The fee paid will have to be credited to the Govt. You will of course be entitled to receive the usual travelling allowances -

Yours sincerely
Sd V. Ponn

Note The existing rules herein referred to refers to our Spl file No V of 1905. 06 — April 1906
& prog No G 4992. 5031
Gen 255. 05. 3
dy 11. 4. 06.

Myself
Diwan Sahib that
When Sir Williams, late
Resident there was a
similar question and it
was decided that any fee
received should be credited
to Govt nonetheless like that
Please instruct Yrs.
Hu
26/2

The D.O file is put
up - The original
papers are in the
Secretariat -

There was some
thing in connection
with an honorarium
proposed to be given
by the Durbar Maha
to Sir Grant - The
papers are with the
Private Secretary - HR